IN RE: PETITION FOR ADMIN. VARIANCE

E/S Valley Heights Drive, North Of the c/l of Shaded Glen Court 11011 Valley Heights Drive 3rd Election District 3rd Councilmanic District Gary C. Perlow, et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 99-285-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Gary C. Perlow and Rebecca Perlow, his wife, property owners, for that property known as 11011 Valley Heights Drive in the Valley Heights subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 30 ft., in lieu of the required 50 ft. for an addition, in an R.C.5 zone. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition, for Variance.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this day of February 1999, that the Petition for an Administrative Variance from



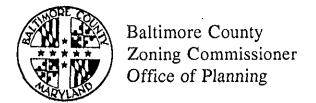
Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 30 ft., in lieu of the required 50 ft. for an addition, in an R.C.5 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:mmn





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

February 26, 1999

Mr. and Mrs. Gary C. Perlow 11011 Valley Heights Drive Owings Mills, Maryland 21117

RE: Petition for an Administrative Variance

Case No. 99-285A

Location: 11011 Valley Heights Drive

Dear Mr. and Mrs. Perlow:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn Encl.



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1011 Valley Heights

	which is presently zoned
owner(s) of the property situate in Baltimore County and made a part hereof, hereby petition for a Variance from the country and the country a	Permits and Development Management. The undersigned, legal which is described in the description and plat attached hereto and Section(s) 1904,3.B.2; BCZR, TO REPMIT OF THE REO UIPED
of the zoning regulations of Baltimore County, to the zor of this petition form.	ning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertisin regulations and restrictions of Baltimore County adopted purs	g, posting, etc. and further agree to and are to be bounded by the zoning
<i>\</i>	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	<u>Legal Owner(s):</u>
Name - Type or Print Signature	Signature Rebecca Perlow
Address Telephone No	
City State Zip Code	Signature
Attorney For Petitioner:	11011 Valley Heights Pr: (410)313-9433
1	Address Telephone No. Outres Mills MD 21117
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted: Representative to be Contacted:
Company	Name (410) 363-9433(h)
Address Telephone No.	Address Telephone No. (18) 916-2888 (1)
City State Zip Code	City State Zip Code
A Public Hearing having been formally demanded and/or found this that the subject matter regulations of Baltimore County and that the property be reposted.	to be required, it is ordered by the Zoning Commissioner of Baltimore County, er of this petition be set for a public hearing, advertised, as required by the zoning
CASE NO. 99-285 A	Reviewed By Date
REV 915/98	Latinuted Fualing Dute

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

				City	<u> </u>	ys M	112	<u>MD</u>		2111)	
That based Variance at	upon pe	ersonal i ve addre	knowledg ess (indic	ge, the following ate hardship or	are the fa	cts upon w ifficulty):	o hich I/we	base the i	request for a	en Administrati n Administrati	de ive
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_				elevation - to put							
advertising	ffiant(s) a fee and r	nay be	c/(u	that if a formation provide addit	demand i	nation. K		li be requi	•	a reposting a	nđ
Signature (Name - Type o	Jany or Print	<u>C</u> .	Perlo	w		Signature R C Name - Typ	becca	L Per			
of Maryland Caryline Affiant(s	CERTIFY , in and fo C. Por-	ر, this و or the C	ounty af	or BALTIMORI presaid, persona perca Per vri or satisfacto above set forth a	ally appear	ed to me as	s such Af	fiant(s) an	d made oath	blic of the Sta n in due form ge and belief.	
AS WITNES 27 Date REN 09 15 98	\$\$ my ha	nd and	BALL A	S. BERNARY PILIC RE CO.	Notary My Co	Public emmission E	Ben Expires _	dain 3/1/98			

Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at

,	City Owings	<u>Mills</u>	MO	21117 Zip 0	5222
That based upon personal knowledge, the following Variance at the above address (indicate hardship	ing are the facts u	pon which I/we	alg	•	
i) It is not possible property because it	to extend interferes u	off the with sep	east tic field.	side of	
e) The rear elevation prohibitive to put					
That the Affiant(s) acknowledge(s) that if a form advertising fee and may be required to provide advertising fee and fee	ditional information	Affiant(s) will have a constant of the constan	a. Porl	pay a reposting	and
HEREBY CERTIFY, this 27 day of Jan of Maryland, in and for the County aforesaid, personally known or satisfact aw that the matters and facts hereinabove set forten.	onally appeared	me as such Aff	iant(s) and ma	tary Public of the Si de oath in due form nowledge and belie	n of
AS WITNESS my hand and Notarial Seal			,	•	
Date 1/27/99	Non	shad. Be	ruheim !		
PEN 09/15/98	Notery Pub My Commis	ssion Expires	1/2/99		,



REV 9/15/98

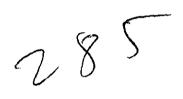
Petition for Administrative Variance

10	the Loning	Commissioner of Baltimore County
CODYLA	for the propert	which is presently zoned
owner(s) of the property situate in Baltim made a part hereof, hereby petition for a	nore County and white Variance from Secti	its and Development Management. The undersigned, legal ch is described in the description and plat attached hereto and ion(s) 1AO4, 3, B. 2; BCZR, To Permit lieu of the required 50ft.
of this petition form. Property is to be posted and advertised a	as prescribed by the	osting, etc. and further agree to and are to be bounded by the zoning
		I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:		Legal Owner(s): GARY C. RERLOW
Name - Type or Print		Name - Type or Print
Signature	477.4	Signature Rebecca Perlow
Address	Telephone No.	Name - Type of Print
City State	Zip Code	Signature
Attorney For Petitioner:		Address Hills Mp 2/117 City State Zip Code
Name - Type or Print		· ·
Signature		Representative to be Contacted: Rebecca Perlow
Company		Name (4/0) 3634433
Address	Telephone No.	Address Telephone No.
City State	Zip Code	City State Zip Code
A Public Hearing having been formally demanths day of the regulations of Baltimore County and that the proper	nat the subject matter of t	e required, it is ordered by the Zoning Commissioner of Baltimore County, this petition be set for a public hearing, advertised, as required by the zoning
(1) 1 0 0	Λ	Zoning Commissioner of Baltimore County
CASE NO. 99.285	/ Rev	viewed By \ \ Date 1.28.99

Estimated Posting Date ______

ZONING DESCRIPTION FOR 11011 Valley Heights Drive.

Beginning at a point on the east side of Valley Heights Drive which is 50 feet (panhandle lot) wide at the distance of (panhandle) north of the centerline of the nearest improved intersecting street Shaded Glen Ct. which is 50 feet wide. Being Lot #27, in the subdivision of Valley Heights as recorded in Baltimore County Plat Book #40, Folio #35, containing 118,048 square feet. Also known as 11011 Valley Heights Drive and located in the 3rd Election District, 3rd Councilmanic District.



CERTIFICATE OF POSTING

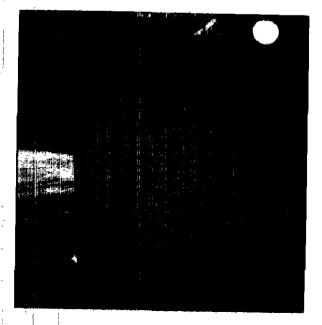
RE: CASE # 99-285-A
PETITIONER/DEVELOPER:
(Gary & Rebecca Perlow)
DATE OF Closing
(Feb. 22. 1999)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 11011 Valley Heights Drive Baltimore, Maryland 21117_____



Sincerely,
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIF	rτ		06 3088	F		CTUAL	TIME
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BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Numbe	er 99-	285	-A		Address _	11011	UAlley	HR	DR.
Contact Pers	son: _		· M cell	Mant Your N	lama		Phone Nu	mber: 41	0-887-3391
Filing Date:	1.0			/		.7.99	Closir	ng Date:	2.22.9
Any contact through the c	made contact	with thi	s office reg (planner) us	garding sing the	the status	of the ad	ministrative	variance	should be
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a form	nal red	quest for	a public h	earing.	Please u	ınderstand	or owner wi that even i e closing da	f there is	0 feet to file s no formal
comm order (typica	issione that th illy with	er. He m ne matte hin 7 to 1	nay: (a) grant r be set in l0 days of t	ant the for a he clos	requested public hea sing date) a	relief; (b) o aring. You is to whethe	deny the re- will receive	quested e written in has be	puty zoning relief; or (c) notification en granted, nail.
POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.									
				(Detach	n Along Dotted L	ne)			
Petitioner: 1	This P	art of the	Form is fo	or the S	Sign Poste	r Only			
		USE T	HE ADMIN	ISTRA	TIVE VARI	ANCE SIGN	FORMAT	t	-
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

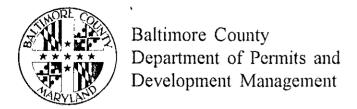
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Adve	rtising:
Item Number or Case Netitioner:	Number: 285
•	11011 VAlley 17TS. DR. Onings Mills. 2111
PLEASE FORWARD A	DVERTISING BILL TO:
Name:Address:	SAMe-
Telephone Number:	(410) 3639431

Revised 2/20/98 - SCJ

99.285.A



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 22, 1999

Mr. & Mrs. Gary Perlow 11011 Valley Heights Drive Owings Mills, MD 21117

RE: Case No.: 99-285-A

Petitioner: Gary Perlow, et ux

Location: 11011 Valley Heights Drive

Dear Mr. & Mrs. Perlow:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 28, 1999.

The Zoning Advisory Committee (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards. Jr.

Zoning Supervisor

Zoning Review

WCR: ggs

Enclosures

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Permits and Development Management

DATE: 2/10/99

FROM:

R. Bruce Seeley, Project Manager

Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date: File 8,99

The Department of Environmental Protection and Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

280

281

282

289

98-467 Sp HA

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: February 5, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 279, 281 (285) and 288

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Jeffy W.

AFK/JL



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

February 23, 1999

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 8, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

278, 279, 281, 284, 285 and 288

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: February 17, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor
Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting for February 16, 1999

Item Nos. 278, 280, 281, 282,

288

AND

Revised Variance Petitions & Plats for Case #98-467-SPHA (7601 Osler Drive)

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date:

7.9.95

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County

Item No.

285 JCM

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

I. J. Sull

Michael M. Lenhart, Acting Chief

Engineering Access Permits Division

Re: Application for variance at 11011 Valley Heights Drive.

We, the undersigned have no objections to the Perlow's proposed addition located at 11011 Valley Heights Drive.

Harolds. R.L. Harold T. Rusia

Owners of 5 Shaded Glen Ct.

285



44.285-A







Front of 11011 Valley Hights D1.



From the backgard of dot 26 which is the neighbor who is effected by the setback looking down over the baspetball ct. towards side of my house where addition will be



my funde 11011



From the middle (legthwise) of my driveway Showing proximity to Lot 31 + Lot 32



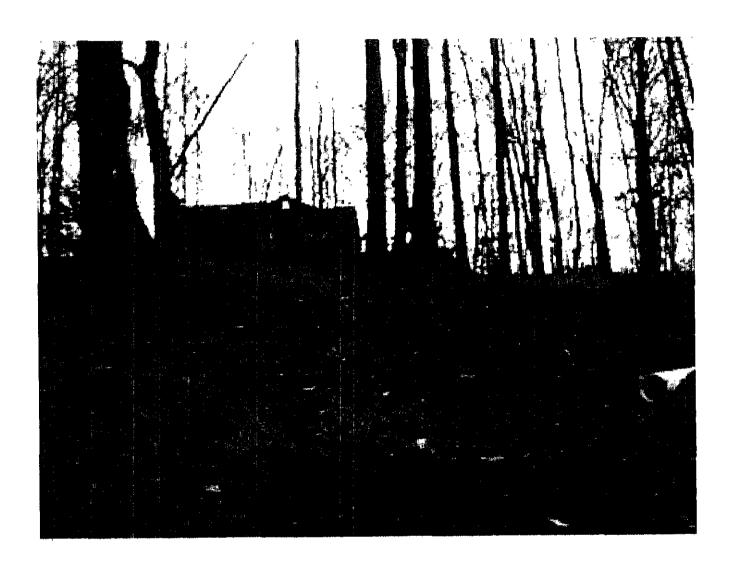
From my garage booking west to Lot 26 - direction of addition



From the middle of my drive looking East towneds my house



From my driveway torking to spot for addition extents to.



From pt. of addition looking north to dot 31

Petition for Zoning | Variance | Special Hearing see pages 5 & 6 of the CHECKLIST for additional required information YV/// HEIGHTS YALLEY 45E0100011 #XAT DRIVE Decreased & LINDA (1861 b301 TAX # 1700010334 Folio 34 227.63 HAROLD & TEMA RVBIN اع 8 00, (RAD) 298.84 () () Scale of Drawirg: 1'=_ 1 .00.0S HOLL ALLEY HEIGHTS MIN, FRONT BLDG. EN TOOD WAS 1,707 PREBUCK & GARY PERLOW Frederick Select My THY PERLOW 84'14'37 S. 67.38'42" W HEIGHTS ,section# 12. 168L1474L 1-18 ce 9130 DRAINAGE & UTILIT'
EASEMENT REGULA Plat to accompany Morro **(** in. Œ LE.81 3 PROPERTY ADDRESS: 10 VAL. 1001 = 11 ココマコら greater-then 007 **(D**) plat book# HQ, follo# CZ GARY Subdivision name: prepared by: date: [- (-) ... OWNER: North

STEVEN

THE STATE OF THE S

MAJHTZ TINAD 13

School for Girls

LOCATION INFORMATION

scale: 1'=1000'

Vicinity Map

99.285.A

百百百百

SEWER: WATER: WATER:

Chesapeake Bay Critical Area:

Prior Zoning Hearings:

Zoning Office USE ONLY!

CASE#:

ITEM #

reviewed by:

3

118 048 square feet

7.7

1'=200' scale map#: NW 12E

Councilmanic District: 300

Election District: 3eD

